

**REMARKS**

Claims 7-10 are pending in the present application. With entry of this Amendment, Applicant hereby amends claims 7-10. Reexamination and reconsideration are respectfully requested.

**A. Rejections under 35 U.S.C. § 102(e)**

In the Office Action dated March 18, 2009, the Examiner rejected claims 7-10 under 35 U.S.C. § 102(e) as being anticipated by Hipp (U.S. Patent No. 6,859,835, hereinafter "Hipp"). Applicant respectfully traverses these rejections.

The present invention is directed to a method and a system for controlling a computer that executes a plurality of software and connects to a control device. For example, as illustrated in Fig. 2, controller X is connectable to a target device O that has a plurality of software, *i.e.*, software A, B and C.

Claim 7, as amended, includes the following recitations:

“...the control device comprising:

a protocol change switch;

a setter that sets a different protocol to each of the plurality of data communication ports by selecting, for each of the plurality of data communication ports, a software among said plurality of software executed on the computer in response to an operation to the protocol change switch by a user;...” (Emphasis added.)

Support for these recitations is found throughout the original disclosure including, without limitation, Fig. 3 and the Applicant's specification at page 8, line 27 – page 9, line 5 and page 15, line 16 – page 16, line 21.

Hipp does not teach or suggest these recitations. More exactly, these recitations require at least (1) setting a different protocol to each of a plurality of ports based on (2) selecting of a

software among the plurality of software on the computer, further based on (3) an operation to a protocol change switch of the control device by a user.

Regarding the Examiner's reliance on Hipp for the "setter" claim element, the Examiner cited, "see col. 7 lines 8-60, address and protocol translation are performed on the packet header." (Office Action, at 3). However, Hipp does not teach protocol translation. Rather, Hipp teaches "port translation" (7:30) and "rewriting the protocol headers and recalculating a corresponding checksum" (7:53-55). A protocol header and a checksum do not constitute a protocol. Therefore, Hipp's setting of protocol *headers and checksums* does not read on (1) setting a different *protocol* to each of a plurality of ports.

Also, Hipp teaches that the corresponding protocol is a *single* protocol: "a TCP/IP protocol." (10:16) Accordingly, Hipp lacks the teaching of even (1) setting a different protocol to each of a plurality of ports, *i.e.*, a *plurality* of different *protocols*.

Furthermore, Hipp lacks teachings on how this "TCP/IP protocol" would be set. Accordingly, Hipp does not teach or suggest (1) setting a different protocol to each of a plurality of ports *based on* (2) selecting of a software among the plurality of software on the computer.

Hipp includes additional deficiencies. For example, Hipp discloses, in FIG. 3, a virtual port multiplexing system wherein one port is corresponded to one application server (or one application software). However, Hipp does not disclose or suggest setting a correspondence between an active software and a port according to (3) an operation to a protocol change switch of the control device by a user.

More exactly, Hipp discloses, in FIG. 4, a port translation wherein, in response to a request from the computer 162, the virtual port multiplexer (VPM) 150 *automatically* switches the port p1 in use to a new port p2 and connects the computer 162 and the application server 160 through the new port p2. However, Hipp does not disclose or suggest setting a correspondence between an active software and a port according to (3) an operation to a protocol change switch of the control device by a user.

Similarly, Hipp discloses, also in FIGs. 6, 8 and 9, other port translations. However, even in these figures and their corresponding descriptions, Hipp does not disclose or suggest setting a correspondence between an active software and a port according to (3) an operation to a protocol change switch of the control device by a user.

Thus, Hipp does not teach or suggest all the recitations of claim 7. As similar recitations are found in claims 8-10, Applicant respectfully submits that Hipp fails to anticipate or render obvious claims 8-10, as well. Accordingly, Applicant respectfully requests withdrawal of the rejections based on Hipp.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If, for any reason, the Examiner finds the application other than in condition for allowance, Applicant requests that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5479 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. 393032044900.

Dated: September 18, 2009

Respectfully submitted,

By 

David S. Kim

Registration No.: 57,143  
MORRISON & FOERSTER LLP  
555 West Fifth Street, Suite 3500  
Los Angeles, California 90013  
(213) 892-5479